

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AARON RUBENSTEIN,

Plaintiff,

v.

SEARS HOLDINGS CORP.,

Nominal Defendant,

and

ROFAM INV. LLC,
JOHN R. BURCH,
PERCEVAL INVESTMENT PARTNERS, L.P.,
EVA WIEZOREK,
HEINZ WIEZOREK and CHARLOTTE WIEZOREK,
GARY ATWELL and SUSAN ATWELL
(as trustees for Susan L. Atwell Revocable Trust),
LARRY SOUZA and SHARON SOUZA
(as trustees for The Souza Family Trust),
ROBERT RUBIN
(as trustee for Robert Rubin Revocable Trust),
and JENNIFER COLL
(individually, and as trustee for Megan B. Coll Grantor Trust
and Robert J. Coll, III Grantor Trust),

Defendants.

No. 17-cv-821 (JPO)

(ECF Case)

**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS HEINZ WIEZOREK AND
CHARLOTTE WIEZOREK PURSUANT TO F.R.C.P. 41(a)(1)**

Plaintiff and his counsel hereby give notice of Plaintiff's voluntary dismissal with prejudice of Defendants Heinz Wiezorek and Charlotte Wiezorek pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Neither of these Defendants have filed an answer or a motion for summary judgment as of this time.

Dated: December 4, 2018

s/ [Miriam Tauber

s/ David Lopez

Miriam Tauber (MT-1979)
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Attorneys for Plaintiff

So ordered.

Dated: 12/4/18


J. PAUL OETKEN
United States District Judge